

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

POWERHOUSE BEVERAGE COMPANY
LLC, et al.,

Plaintiff(s),

-against-

FRANK NAHOUM, et al.,

Defendant(s).

22-cv-5559 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:


In anticipation of the October 30 bench trial, each party is hereby ORDERED to submit the following by **October 16, 2023, at 5:00 p.m.**:

1. Proposed findings of fact and conclusions of law;
2. Copies of affidavits constituting the direct testimony of each trial witness, except for the direct testimony of an adverse party, a person whose attendance is compelled by subpoena, or a person for whom the Court has agreed to hear direct testimony live at the trial. The affidavit should be treated as a direct substitute for the witness's live testimony; that is, counsel should be attentive to the Rules of Evidence (e.g., hearsay and the like) and authenticate any exhibits that will be offered through that witness's testimony. By **October 19, 2023, at 5:00 p.m.**, counsel for each party shall submit a list of all affiants whom they intend to cross-examine at the trial. Only those witnesses who will be cross-examined need to appear at trial. The original signed affidavits should be brought to trial to be marked as exhibits, at which time any objections to particular paragraphs of an affidavit can be made;
3. All deposition excerpts that will be offered as substantive evidence, as well as a one-page synopsis of those excerpts for each deposition. Each synopsis shall include page citations to the pertinent pages of the deposition transcripts.
4. An electronic copy of each exhibit sought to be admitted (with each filename corresponding to the relevant exhibit number—e.g., “PX-1,” “DX-1,” etc.).

Item 1 shall be filed on ECF. Items 2, 3, and 4 should be emailed to the Court at SubramanianNYSDChambers@nysd.uscourts.gov. If the exhibits are too large to be emailed, they should be delivered on a USB drive.

SO ORDERED.

Dated: October 3, 2023
New York, New York



ARUN SUBRAMANIAN
United States District Judge